

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

COGNIZANT TECHNOLOGY
SOLUTIONS U.S. CORPORATION,

Plaintiff,

v.

JOHN MCAFEE,

Defendant.

Case No. [14-cv-01146-WHO](#)

**ORDER DEEMING DEFENDANT
SERVED AND EXTENDING
TEMPORARY RESTRAINING ORDER**

On March 21, 2014, I issued a temporary restraining order in this action. Dkt. No. 15. When I issued the order, the defendant had not been served or appeared. I required the plaintiff to file a statement within seven days of the order explaining what further efforts it had made to serve the defendant; I also required the plaintiff to file another statement five days thereafter. In accordance with my order, the plaintiff documented the many efforts it made to serve and contact the defendant, including by personal, postal, and electronic means. *See, e.g.*, McCrimmon Decl. (Dkt. No. 18-1) ¶¶ 3, 7 & 11; McCrimmon Decl. (Dkt. No. 19-1) ¶ 2.

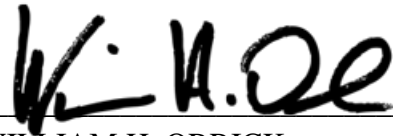
Based on the plaintiff's representations, I conclude that the plaintiff has made substantial efforts "reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections." *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950). Indeed, the evidence shows that the defendant has actual notice of this action, the order, and the plaintiff's efforts to serve him because he has contacted plaintiff's counsel through email, *see, e.g.*, Dkt. Nos. 18-11, 18-12. The defendant is DEEMED SERVED.

Pursuant to Federal Rule of Civil Procedure 65(b)(2), for good cause shown and for the reasons previously stated, I ORDER that the temporary restraining order be extended for an

1 additional 14 days. I will hold a hearing on the motion for a preliminary injunction on April 18,
2 2014, **at 3:00 p.m.**, in Courtroom 2, 450 Golden Gate Avenue, San Francisco, California. Any
3 response to the motion shall be filed by April 11, 2014, and any reply shall be filed by April 16,
4 2014.

5 **IT IS SO ORDERED.**

6 Dated: April 4, 2014

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8 WILLIAM H. ORRICK
9 United States District Judge
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